

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

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| UNITED STATES OF AMERICA, |) | |
| |) | |
| v. |) | No. 08 CR 386-3 |
| |) | Honorable Judge Coar |
| |) | Magistrate Judge Ashman |
| RODNEY RAY, et. al., |) | |
| |) | |
| Defendants. |) | |

DEFENDANT RODNEY RAY'S MOTION TO RE-SET TRIAL DATE

Defendant, Rodney Ray, by his undersigned counsel, respectfully moves this Court for the entry of an Order re-setting the trial date. In support of this Motion, Mr. Ray states as follows:

1. Mr. Ray is represented by Federal Defender Panel counsel Michael Leonard.
2. Mr. Ray's counsel was unavailable to appear at the status hearing held on August 22, 2008.
3. However, Mr. Ray's counsel sent stand-in counsel and provided that counsel with his trial schedule - anticipating that this Court would set a trial date at the status hearing.
4. That trial schedule included a trial before Judge Kendall in the case of United States v. Froelich, et. al. Mr. Ray's counsel represents defendant Paul Kocurek in that matter. That trial is set for October 14, 2008, and it will likely last 4 to 6 weeks. That case was set for that October 14 date several months ago.
5. However, Mr. Ray's counsel's stand-in for the status hearing mistakenly believed that the Froelich case was only a one-week trial.

6. Accordingly, when this Court indicated at the status hearing that the present action would be set for trial on October 27, 2008, that stand-in counsel did not voice any objection to that trial setting.

7. Based upon the foregoing, Mr. Ray respectfully requests that the trial date in this matter be re-set. Mr. Ray's only other trial setting is the case of United States v Wimberley (Judge Coar), which is set for trial on December 1, 2008, and which will be concluded within that same week.

WHEREFORE, Defendant, Rodney Ray, by his undersigned counsel, respectfully requests the entry of an Order re-setting the trial date, and for such other and further relief as is appropriate under the circumstances.

Respectfully Submitted,

By: /s/ Michael I. Leonard
Attorney for Defendant Rodney Ray

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